

REMARKS

This is a full and timely response to the outstanding final Office Action mailed December 16, 2005 and the Advisory Action mailed March 20, 2006. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Objection to the Claims

Claim 7 was objected to because of an informality cited in the Office Action. Accordingly, claim 7 has been amended to overcome the objection. Therefore, Applicants respectfully request the objection of claim 7 to be withdrawn.

For similar reasons, claims 2-3 and 9 have been amended to correct informalities attributed to prior amendments made in respective independent claims.

II. Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-11 and 18-23 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Shteyn* (U.S. Patent 6,782,253 B1). Applicants respectfully traverse this rejection.

a. Claims 1-6

As provided in independent claim 1, Applicants claim:

A method of discovering local devices or services comprising:
associating at least one unique identifier with at least one location, said at least one unique identifier including a first unique identifier;

associating one or more devices including a first device with said first unique identifier based upon said first unique identifier acquired by said first device at a location associated with said first unique identifier;

providing an indication of a plurality of devices and services that are associated with said first unique identifier, such that a second device associated with said first unique identifier is made aware of other devices including said first device that are available for use and are associated with said first unique identifier.

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Shteyn* does not disclose, teach, or suggest at least "associating

one or more devices including a first device with said first unique identifier based upon said first unique identifier acquired by said first device at a location associated with said first unique identifier" and/or "providing an indication of a plurality of devices and services that are associated with said first unique identifier, such that a second device associated with said first unique identifier is made aware of other devices including said first device that are available for use and are associated with said first unique identifier," as recited and emphasized above in claim 1.

Rather, *Shteyn* appears to disclose at most a system of beacons that transmit facilitation signals. The beacons, as such, do not acquire a unique identifier, such as a first unique identifier, as claimed. The final Office Action alleges that this feature is disclosed by a cell phone receiving the facilitation signal transmitted by a beacon. Office Action, page 3. By this reasoning, the final Office Action appears to be associating the cell phone with "one or more devices including a first device" from the claim. However, in another portion of the claim, the claim includes the step of "providing an indication of a plurality of devices and services that are associated with said first unique identifier, such that a second device associated with said first unique identifier is made aware of other devices including said first device that are available for use and are associated with said first unique identifier." (Emphasis added). By the aforementioned reasoning, for the claim to be anticipated, *Shteyn* would have to disclose that a "first device," such as the cell phone [that received the facilitation signal], is provided in an indication such that another device or a "second device" also associated with the same unique identifier ("first unique identifier") is made aware of the cell phone which is available for use. But this is not disclosed. Accordingly, claim 1 and claims 2-6 (which depend from claim 1) are allowable over *Shteyn*, for at least that reason.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 2-6, these dependent claims recite further features/steps and/or combinations of features/steps (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

b. Claims 7-8

As provided in independent claim 7, Applicants claim:

One or more computer-readable media having computer-readable instructions thereon which, when executed by one or more processors, cause the one or more processors to:

associate at least one unique identifier with at least one location, the at least one unique identifier including a first unique identifier;

associate a plurality of devices including a first device and a second device with said first unique identifier acquired by the plurality of devices at a location associated with the first unique identifier; and

provide an indication of a plurality of devices including the first device and services that are associated with said first unique identifier by:

receiving a message containing the first unique identifier from the second device;

ascertaining said one or more devices currently available for use to a sender of the message based upon said first unique identifier; and

replying to the sender of the message with a list of available devices including the first device for a location corresponding to said first unique identifier.

(Emphasis added).

Applicants respectfully submit that independent claim 7 is allowable for at least the reason that *Shteyn* does not disclose, teach, or suggest at least "associate a plurality of devices including a first device and a second device with said first unique identifier acquired by the plurality of devices at a location associated with the first unique identifier" and/or "provide an indication of a plurality of devices including the first device and services that are associated with said first unique identifier by: receiving a message containing the first unique identifier from the second device; ascertaining said one or more devices currently available for use to a sender of the message based upon said first unique identifier; and replying to the sender of the message with a list of available devices including the first device for a location corresponding to said first unique identifier," as recited and emphasized above in claim 7.

Rather, *Shteyn* appears to disclose at most a system of beacons that transmit facilitation signals. The beacons, as such, do not acquire a unique identifier, such as a first unique identifier, as claimed. The final Office Action suggests that this feature is

disclosed by a cell phone receiving the facilitation signal transmitted by a beacon. Office Action, page 3. By this reasoning, the final Office Action appears to be associating the cell phone with "a plurality of devices including a first device and a second device" from the claim. However, another portion of the claim includes the step of "provid[ing] an indication of a plurality of devices including the first device and services that are associated with said first unique identifier by: receiving a message containing the first unique identifier from the second device; ascertaining said one or more devices currently available for use to a sender of the message based upon said first unique identifier; and replying to the sender of the message [i.e., the second device] with a list of available devices including the first device for a location corresponding to said first unique identifier." (Emphasis added).

By the aforementioned reasoning, for the claim to be anticipated, *Shteyn* would have to disclose that a "first device," such as the cell phone [that received the facilitation signal], is provided in an indication such that another device or a "second device" also associated with the same unique identifier ("first unique identifier") is made aware of the cell phone which is available for use by another user or "sender" (i.e., the second device) using the claim language. But, this is not disclosed or taught by *Shteyn*.

Therefore, *Shteyn* fails to disclose all of the features of claim 7. Accordingly, claim 7 and claim 8 (which depends therefrom) are allowable over *Shteyn*, for at least that reason.

c. Claims 9-11

As provided in independent claim 9, Applicants claim:

A method of discovering local devices or services comprising:
associating multiple unique identifiers including a first unique location with multiple related locations, each related location having a unique identifier;

receiving a report that a first client device has acquired a first unique identifier corresponding to particular location, the first client device being located at the particular location;

associating one or more devices including a second device with one or more of the unique identifiers based on reports received from said one or more devices regarding acquisition of said one or more of the unique identifiers, the second device being accessible from the particular location that corresponds to the first unique identifier;

receiving a message from the first client device that contains a unique identifier of one or more of the locations including the first unique identifier;

ascertaining from said unique identifier any devices that are associated with a location that corresponds to said unique identifier; and

replying to said first client device with a list of available devices including the second device for the location, wherein said available devices on the list reported acquisition of said unique identifier.

(Emphasis added).

Applicants respectfully submit that independent claim 9 is allowable for at least the reason that *Shteyn* does not disclose, teach, or suggest at least "receiving a report that a first client device has acquired a first unique identifier corresponding to particular location, the first client device being located at the particular location," "receiving a message from the first client device that contains a unique identifier of one or more of the locations including the first unique identifier," "associating one or more devices including a second device with one or more of the unique identifiers based on reports received from said one or more devices regarding acquisition of said one or more of the unique identifiers, the second device being accessible from the particular location that corresponds to the first unique identifier," "ascertaining from said unique identifier any devices that are associated with a location that corresponds to said unique identifier," and "replying to said first client device with a list of available devices including the second device for the location, wherein said available devices on the list reported acquisition of said unique identifier," as recited and emphasized above in claim 9.

Rather, *Shteyn* appears to disclose at most a system of beacons that transmit facilitation signals. The beacons, as such, do not acquire a unique identifier, such as a first unique identifier, as claimed. The final Office Action alleges that this feature is disclosed by a mobile phone receiving the facilitation signal transmitted by a beacon. Office Action, page 7. By this reasoning, the final Office Action appears to be associating the mobile phone with a "first client device" from the claim. However, in another portion of the claim, it features the steps of "ascertaining from said unique identifier any devices or services that are associated with a location that corresponds to said unique identifier" and "replying to said first client device with a list of

available devices including the second device for the location, wherein said available devices on the list reported acquisition of said unique identifier," where said first client device sent a message containing the unique identifier. By the aforementioned reasoning, for the claim to be anticipated, *Shteyn* would have to disclose that the mobile phone or "first client device" that reported acquisition of the unique identifier is made aware of other devices that also made reports, such as a second device. But, this is not disclosed or taught by *Shteyn*.

Therefore, *Shteyn* fails to disclose all of the features of claim 9. Accordingly, claim 9 and claims 10-11 (which depend from claim 9) are allowable over *Shteyn*, for at least that reason.

d. Claims 18-23

As provided in independent claim 18, Applicants claim:

A method of discovering local devices comprising:
acquiring a unique identifier that is associated with a location for which corresponding devices including a first device and a second device are desired to be discovered;
sending a message from the first device containing the unique identifier over a network and to an entity from which the devices can be discovered; and
receiving a reply from the entity, the reply containing a list of available devices for the location including the second device, wherein the available devices acquired the unique identifier at the location and reported acquisition of the unique identifier to the entity.

(Emphasis added).

Applicants respectfully submit that independent claim 18 is allowable for at least the reason that *Shteyn* does not disclose, teach, or suggest at least "acquiring a unique identifier that is associated with a location for which corresponding devices including a first device and a second device are desired to be discovered," "sending a message from the first device containing the unique identifier over a network and to an entity from which the devices can be discovered," and "receiving a reply from the entity, the reply containing a list of available devices for the location including the second device, wherein the available devices acquired the unique identifier at the location and reported acquisition of the unique identifier to the entity," as recited and emphasized above in claim 18.

Rather, *Shteyn* appears to disclose at most a system of beacons that transmit facilitation signals. The beacons, as such, do not acquire a unique identifier, as claimed. The final Office Action alleges that this feature is disclosed by a mobile phone or first device receiving the facilitation signal transmitted by a beacon. Office Action, page 8. However, in examining another portion of the claim, it features the steps of "sending a message from the first device containing the unique identifier over a network and to an entity from which the devices can be discovered," and "receiving a reply from the entity, the reply containing a list of available devices for the location including the second device, wherein the available devices acquired the unique identifier at the location and reported acquisition of the unique identifier to the entity.

By the aforementioned reasoning, for the claim to be anticipated, *Shteyn* would have to disclose that the mobile phone is made aware or receives a list of other devices in the area that reported acquisition of a unique identifier. But, this is not disclosed or taught by *Shteyn*.

Therefore, *Shteyn* fails to disclose all of the features of claim 18. Accordingly, claim 18 and claims 19-21 (which depend therefrom) are allowable over *Shteyn*, for at least that reason.

Likewise, claims 22-23 are allowable for similar reasons.

CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,


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